

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

May 9, 2008

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

08od-056

Oahu

Amend Grant of Non-Exclusive Easement S-5827 for Seawall
Purposes to Basil Gomez and Donna Marron at Kaalaea,
Koolaupoko, Oahu, Tax Map Key: (1) 4-7-16:60 Seaward

BACKGROUND:

In 1992, the Board authorized the issuance of a 65-year non-exclusive easement to the previous owner of the subject property. The request was not finalized until last year, and an easement (S-5827) was issued to the current owners Mr. Basil Gomez and his wife.

Recently, Mr. Gomez advised the staff that a portion of the seawall (about 12 sq. ft.) is outside the easement area, which was discovered as a result of the latest topographical survey. He requests the Board amend the easement by including the additional area. According to the State Surveyor, an updated survey is needed to verify the easement area. Mr. Gomes must provide a survey map and description for the additional area according to State DAGS standards at his own cost.

A copy of the easement map and latest survey map are attached as Exhibit A and B.

Subject to the verification of the additional encroachment area, staff recommends the Board authorize an amendment to the grant of non-exclusive easement S-5827 by adding the additional area and such additional area is to be charged at the same unit rate of the original easement area.

The Office of Conservation and Coastal Lands has no objections while the Office of Hawaiian Affairs supports the applicants' request.

RECOMMENDATION: That the Board:

- A. Amend Grant of Non-Exclusive Easement S-5827 by adding the additional area appraised at the unit rate of the original easement area;
- B. Review and approval by the Department of the Attorney General; and

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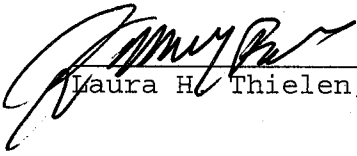
- C. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



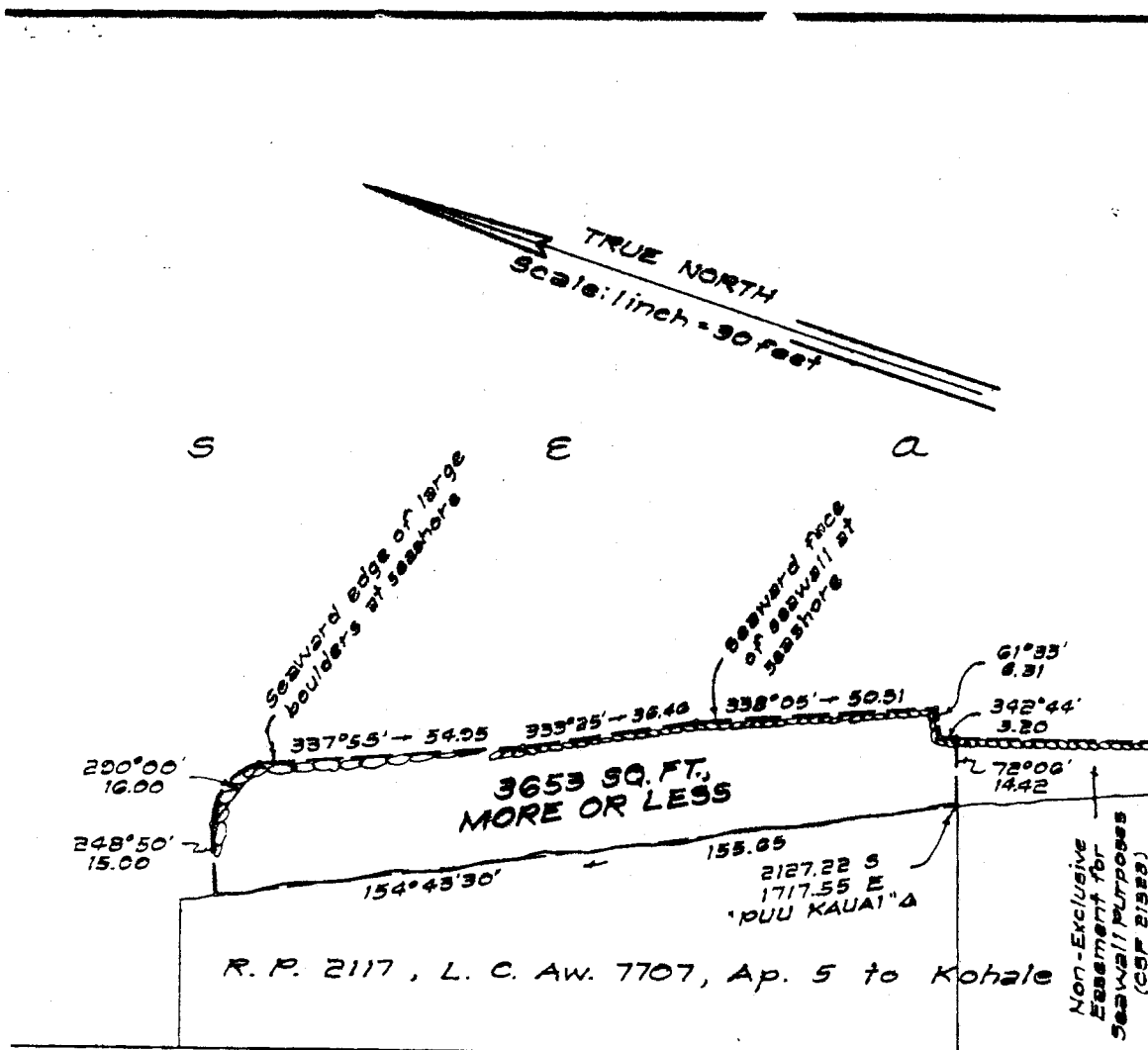
Al Jodar
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson





KAMEHAMEHA

HIGHWAY

PRELIM. APPR'D.
Department of the
Attorney General

NON-EXCLUSIVE SEAWALL EASEMENT

Kaalaes, Koolaupoko, Oahu, Hawaii

Scale: 1 inch = 30 feet

REDUCED NOT TO SCALE

JB 0-212 (92)

C. K.

TAX MAP 4-7-16:60

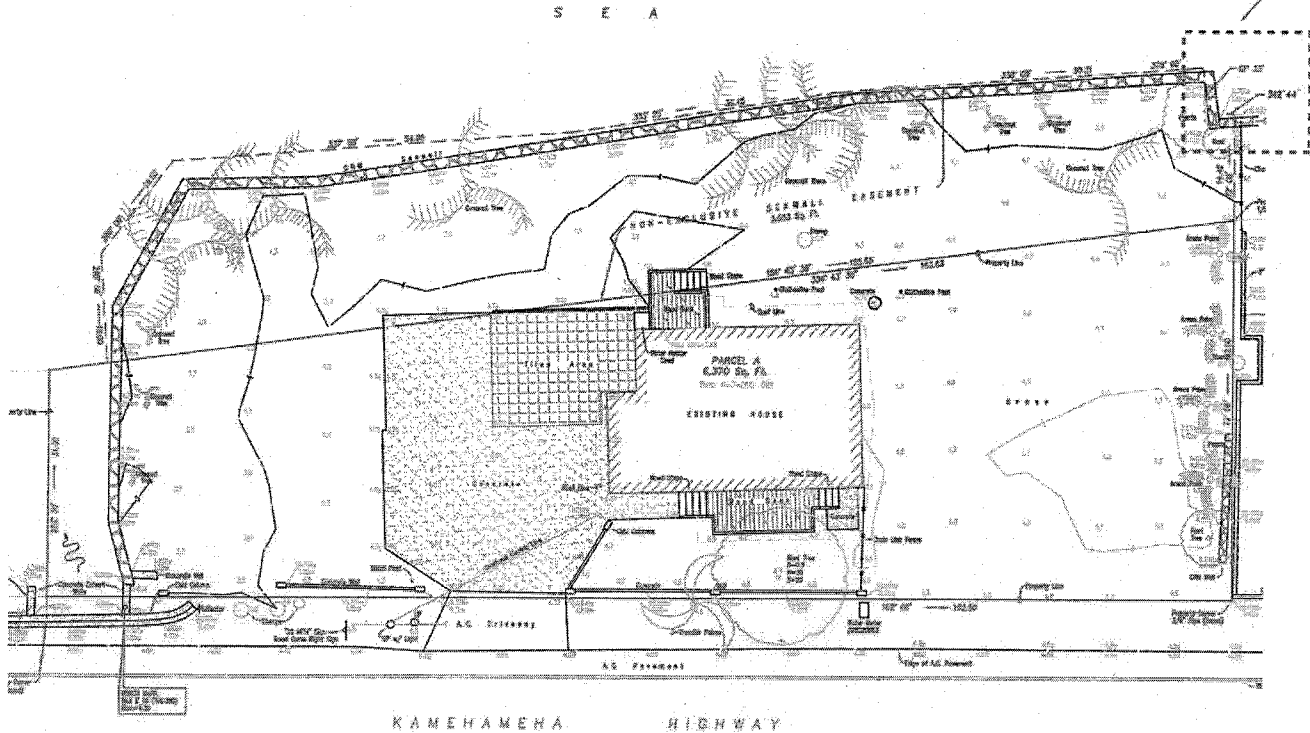
SURVEY DIVISION
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
STATE OF HAWAII

CM. NO. 21782

JMM Oct. 13, 1992

EXHIBIT "A"

Area shown in EXHIBIT B



Darkened Electric/Utility Line

Marked on ground with

TOPOGRAPHIC SURVEY

PARCEL A
Portion of R. P. 2117, L. 2, No. 7707, Ap. 3 to Kalahe.
At Koolaa, Koolapoko, Oahu, Hawaii
T.M.G. 4-7-018: 080
Scale: 1 inch = 5 feet

Suggested distance
Suggested boundary
Suggested extension to easement

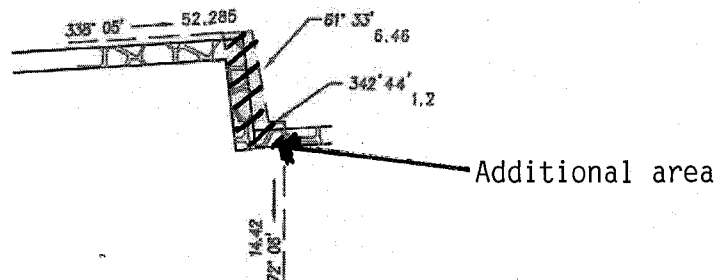


EXHIBIT B